

REMARKS

Applicant has amended this application in response to the office action. The examiner bases all of the rejections on the Kobayashi, et al. reference. These rejections are all faulty in that Kobayashi, et al. does not meet some central requirements of the claimed invention. Essentially, the claimed invention is directed to a residential-type HVAC system. Kobayashi, et al. appears to be directed to an air conditioning system for a very large building. While that alone may not distinguish the claims, certain requirements of the claims are simply not taught by Kobayashi, et al.

As an example, claim 1 requires that a thermostat incorporate a central control, and that controls signals go from that central control to an indoor HVAC unit. The thermostats in Kobayashi, et al. appear to be more peripheral, and not do not incorporate the central control. Moreover, it appears that the data bus 106 of Kobayashi, et al. does not communicate with any indoor HVAC unit to provide signals from a central control. The data bus 106 in Kobayashi, et al. appears to control a damper unit. The portion of Kobayashi, et al., which would be the “indoor HVAC unit operable to provide a heating function” also does not appear to receive any multiplex signals at al. This unit would be element 17, and applicant sees no disclosure that device 17 receives multiplex controls. It may well be that element 17 is controlled in the manner as described in the Background of the Invention.

Independent claim 10 requires there to be four wires, including two control wires and two power wires, moving from a central control to an indoor HVAC unit. Again, there does not appear to be the required control of the device 17 of Kobayashi, et al. Claim 10 further requires

that there be an outdoor HVAC unit, and again, the outdoor HVAC unit in Kobayashi, et al. does not appear to be provided with the required control signals.

Moreover, while the examiner alleges that utilizing four wires is simply a design choice, it is not. Applicant has developed a unique method of communicating control and power between a central control and various elements in an HVAC system. Utilizing four wires has benefits in minimizing the number of wires needing to be placed within a building. These four wires would be essentially all that is required in applicant's claimed invention. Within Kobayashi, et al., since there is not the serially flow of power, there would appear to be a large number of necessary additional wires.

This same point with regard to the four wires would apply to dependent claim 4.

Independent claim 21 requires that the indoor HVAC unit receive control signals directly from a central control. Again, it does not appear that Kobayashi, et al. meets this limitation.

The new dependent claims further define what is meant by the indoor HVAC unit and the outdoor HVAC unit. These claims are also allowable in that they further define the units that are provided with the control signals.

The examiner rejects several claims as having been obvious. These combination rejections are contested. The examiner rejects claims 3 and 12-14 over Kobayashi, et al. combined with Otsuka, et al. It is not applicant's contention that it invented the inclusion of a humidifier in an HVAC system. However, claim 3 does require control features of the humidifier (notably, claim 3 is broader than being limited to a humidifier) and in particular that a "peripheral HVAC unit" includes its own control and that it communicates through the indoor HVAC control unit. As mentioned, Kobayashi, et al. does not have an indoor HVAC unit

control as required by claim 1. However, certainly, the combination of the references does not communicate control signals through any indoor HVAC unit from a central control, and then to a peripheral HVAC unit.

Moreover, Kobayashi, et al. would not provide any particular benefit as modified by Otsuka, et al. Again, it is not applicant's contention it has invented the inclusion of a humidifier, but rather a particular control scheme.

Similarly with regard to claims 6 and 18, the examiner rejects the claims over Kobayashi, et al. combined with Munson, et al. It is not applicant's contention that it has invented an interface unit. However, the inclusion of an interface unit for controlling an associated HVAC unit that does not have a control capable of receiving control signals over a data bus is unique, particularly when taken in context of the control structure required by the independent claims.

There is no motivation to modify Kobayashi, et al. in view of Munson, et al. properly set forth. For these reasons, this combination rejection is improper and should be withdrawn.

Similarly, the combination of Kobayashi, et al. and Jurewicz, et al. is improper. Again, it is not applicant's contention it has invented any particular sensor type. However, the overall control combination is not met by these references, and there is no true suggestion to combine the references as proposed.

In sum, all claims are allowable. An indication of such is earnestly solicited.

Fees in the amount of \$350.00 for seven additional dependent claims may be charged to Deposit Account 03-0835 in the name of Carrier Corporation. Applicant believes that no additional fees are necessary, however, the Commissioner is authorized to charge Deposit Account

No. 03-0835 in the name of Carrier Corporation for any additional fees or credit the account for any overpayment.

Respectfully submitted,

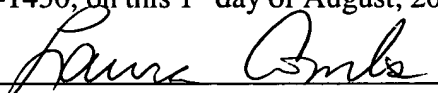


Theodore W. Olds, Reg. No. 33,080
Carlson, Gaskey & Olds
400 W. Maple Road, Ste. 350
Birmingham, MI 48009
(248) 988-8360

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CERTIFICATE OF MAIL

I hereby certify that the enclosed Response is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 1st day of August, 2005


Laura Combs